

### Certificate of Mailing 37 C.F.R. §1.8(a)

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Vickie Jones

Date

2/24/05

Signature

*Vickie Jones*

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hans GRUNDEI

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Conf. No.: 3586

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Appln. No.: 10/663,529

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Filing Date: September 15, 2003

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Title: SYSTEM FOR RECONSTRUCTING THE NATURAL TORQUE BETWEEN THE NATURAL KNEE AND THE NATURAL HIP AREA

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### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed are copies of each of the documents listed on the attached Information Disclosure Citation Form(s) PTO/SB/08A and/or B, which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The enclosed references were cited in a German Office Action dated November 27, 2001, (copy enclosed) from the German Patent Office concerning counterpart German Application No. 101 13 069.4-35. An English translation of pertinent portions is attached hereto. The two French references cited in the German Office Action were already provided in the Information Disclosure Statement filed on September 15, 2003, and are not being submitted again.


The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the mailing date of the first Office Action on the merits. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017.

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A and/or B be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

Hans GRUNDEI



William W. Schwarze

Attorney/Agent for Applicant(s)

Registration No. 25,918

Direct Dial: 215-965-1270

E-Mail: wschwarze@akingump.com

February 23, 2005  
(Date)

Akin Gump Strauss Hauer & Feld LLP  
One Commerce Square  
2005 Market Street, Suite 2200  
Philadelphia, PA 19103  
Telephone No.: 215-965-1200  
Fax No.: 215-965-1210

WWS:vj  
Enclosures



**English Translation of Relevant Portions of Office Action Dated November 27, 2001, in  
Counterpart German Application No. 101 13 069.4-35**

In this action, the following references are cited for the first time. The numbering will apply for this and all further proceedings:

- 1) DE 44 23 717 C1
- 2) EP 0555 003 A1
- 3) EP 0 189 253 A2
- 4) WO 95/17 129 A1
- 5) FR 2 726 178 A1
- 6) FR 2 679 766 A1
- 7) US 5 735 904 A

Prior art references which would stand in the way of a patent cannot be discovered up until now. In addition to the references cited by the applicant in the description introduction, namely already cited German Patent Publications DE 197 16 300 C1 and DE 197 53 236 C1, publications (1) through (7) above were discovered. However, these publications, according to the opinion of the Examiner, do not disclose any further development of the prior art, so that an acknowledgement of the state of the art known therefrom does not appear to be necessary in the description introduction. Nevertheless, if the applicant believes it to be necessary to acknowledge one of these publications in the description introduction as the known state of the art, a corresponding revision of the application documents is requested. Otherwise, the grant of a patent can proceed with the present documents.

Examining Group for Class A 61 F

Doctor of Jurisprudence/Engineer Bechtold

Telephone: 3152

Enclosures: 7 references in duplicate

FEB 28 2005

U.S. TRADEMARK OFFICE

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U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner  
Signature

T<sub>1</sub> - Place a check mark if complete document is in English; otherwise, place a letter "A" if only an English abstract is attached.